

MCCORMICK DUNNE & FOLEY

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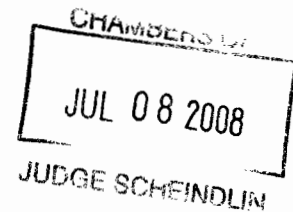
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**VIA FACSIMILE**

The Honorable Shira A. Scheindlin
United States District Court
Southern District of New York
500 Pearl Street, Room 1620
New York, New York 10007

Re: Rincon v. Building Service 32BJ Health Fund, et al.
Case No.: 08 Civ. 0393 (SAS)

Dear Judge Scheindlin:

We represent plaintiff Daniel Rincon in the above-referenced ERISA disability action, with respect to which an initial conference was held on February 26, 2008. At the conference, defendant consented to a voluntary remand to consider certain factors not previously considered, and a "new" initial conference date of July 16 was set.

Unfortunately, owing to scheduling conflicts, the hearing for the voluntary remand was not able to be scheduled before the summer, and it thus had to be set for September 24. On the basis of the foregoing, we would respectfully request (with defendants' consent) that next week's conference be adjourned to a date in October or November.

Respectfully submitted,

MCCORMICK DUNNE & FOLEY

By: 

Christopher P. Foley (CF 6079)

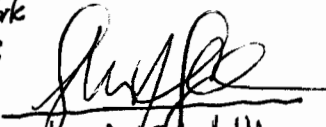
cc: **VIA FACSIMILE**

Ira A. Sturm, Esq.

Raab, Sturm, Goldman & Ganchrow, LLP

Plaintiff's request is granted. The
July 8, 2008 conference originally scheduled for July
16, 2008 is adjourned to October
13, 2008 at 4:00 p.m. No further adjournments
will be granted.
SO ORDERED:

Dated: New York, New York
July 8, 2008


Shira A. Scheindlin
U.S.D.J.